




Sector 7

I hereby certify that this document and its attachments are being deposited with the United States Postal Service, in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on this 10 day of Aug., 1998.


John K. Simpson

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/107,644

§ Docket No.: P-01577USO

Filing Date: June 30, 1998

§

§ Art Unit: 3731

Applicants: John Pepper, et al.

§

§

§

**Title: Minimally Invasive Intramedullary
Nail Insertion Instruments
and Method**

§

§

§

§

ATTENTION: Box Missing Parts

**Assistant Commissioner for Patents
Washington, D.C. 20231**

**RESPONSE TO NOTICE TO
FILE MISSING PARTS OF APPLICATION**


Dear Sir:

In response to the Notice to File Missing Parts of Application dated July 20, 1998, enclosed are the following:

- Part 2 - return copy of notice
- Inventor Declaration executed by all inventors
- Power of Attorney By Assignee
- Recordation Form Cover Sheet (Separate Envelope)
- Patent Assignment (Separate Envelope)
- Postcard

Please charge the surcharge of \$130.00 to the deposit account of Fulbright & Jaworski L.L.P., Account No. 06-2375, under Order No. 985455 from which the undersigned is authorized to draw. An additional copy of this letter is attached for accounting purposes.

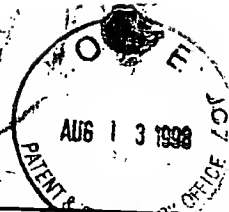
Respectfully submitted,


Jan K. Simpson
Registration No. 33,283
Counsel for Applicants

Date: 8/10/98

Fulbright & Jaworski L.L.P.
1301 McKinney, Suite 5100
Houston, Texas 77010-3095
(713) 651-5325

S+N
JKS
7/26/98
61562158



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

| | | | |
|--------------------|--------------|-----------------------|---------------------------|
| APPLICATION NUMBER | RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO./TITLE |
| 09/107,644 | 06/30/98 | PEPPER | |

JAN K SIMPSON
FULBRIGHT & JAWORSKI
1301 MCKINNEY
SUITE 5100
HOUSTON TX 77010-3095

0232/0720

NOT ASSIGNED

3731

DATE MAILED:

07/20/98
07/20/98

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☐ non-small entity is \$ 130.

- ☐ 1. The statutory basic filing fee is:
 - ☐ missing.
 - ☐ Insufficient.Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- ☐ 2. Additional claim fees of \$ _____, including any multiple dependent claim fees, are required.
 - \$ _____ for _____ independent claims over 3.
 - \$ _____ for _____ dependent claims over 20.
 - \$ _____ for multiple dependent claim surcharge.Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.
- ☒ 3. The oath or declaration:
 - ☒ Is missing or unexecuted.
 - ☐ does not cover the newly submitted items.
 - ☐ does not identify the application to which it applies.
 - ☐ does not include the city and state or foreign country of applicant's residence.An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.
- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application does not comply with the Sequence Rules.
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."
- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A. Johnson
Customer Service Center
Initial Patent Examination Division (703) 308-1202

A copy of this notice MUST be returned with the reply.

06/10/1998 CSTREAS 00000006 062375
01 FD-105